

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

THE TRUSTEES OF COLUMBIA
UNIVERSITY IN THE CITY OF NEW
YORK,

Plaintiff,

v.

NORTONLIFELOCK INC.,

Defendant.

Civil Action No. 3:13-cv-00808-MHL

**JOINT STATUS REPORT PURSUANT TO
THE COURT'S JUNE 3, 2022 ORDER (DKT. 1238)**

Pursuant to the Court's June 3, 2022 order (Dkt. 1238), Plaintiff The Trustees of Columbia University in the City of New York ("Columbia") and Defendant NortonLifeLock Inc. ("Norton") submit this joint status report regarding their potential compromise agreement on the amount of attorneys' fees and costs that Columbia would recover from Norton should the Court decide that an award of fees is appropriate pursuant to 35 U.S.C. § 285 (*see* Dkts. 1259, 1260, 1271, 1294).

Because the scope of the potential compromise depends on the Court's ruling on the scope of attorneys' fees (if any) that Columbia should recover from Norton, the parties have not yet reached an agreement on this issue. However, the parties remain committed to discussing a compromise, should the Court decide that an award of fees is appropriate. Subject to the Court's approval, the parties propose to provide another status update to the Court within 30 days of the Court's ruling on the pending attorneys' fees motion (*see* Dkts. 1259, 1260, 1271, 1294). That status update will address the potential compromise agreement regarding (i) the amount of Columbia's recoverable costs (in lieu of submission of a post-judgment bill of costs), and (ii) the

amount of Columbia's recoverable attorneys' fees (in lieu of briefing), should the Court decide it is appropriate to award fees.

Dated: September 1, 2022

Respectfully submitted,

/s/ John M. Erbach

Dana D. McDaniel (VSB No. 25419)
John M. Erbach (VSB No. 76695)
SPOTTS FAIN, P.C.
411 East Franklin Street, Suite 600
Richmond, Virginia 23219
Tel.: (804) 697-2065
Fax: (804) 697-2165
dmcdaniel@spottsfain.com
jerbach@spottsfain.com

Garrard R. Beeney (*pro hac vice*)
Dustin F. Guzior (*pro hac vice*)
Stephen J. Elliott (*pro hac vice*)
SULLIVAN & CROMWELL LLP
125 Broad Street
New York, New York 10004
Tel.: (212) 558-4000
Fax: (212) 558-3588
beeneyg@sullcrom.com
guziord@sullcrom.com
elliotts@sullcrom.com

*Counsel for Plaintiff The Trustees of
Columbia University in the City of New York*

NORTONLIFELOCK INC.

By: */s/ Dabney J. Carr, IV*

Dabney J. Carr, IV, VSB #28679
dabney.carr@troutman.com
Robert A. Angle, VSB #37691
robert.angle@troutman.com
Laura Anne Kuykendall, VSB #82318
la.kuykendall@troutman.com
TROUTMAN PEPPER HAMILTON
SANDERS LLP

P. O. Box 1122
Richmond, Virginia 23218-1122
Telephone: (804) 697-1200
Facsimile: (804) 697-1339

Douglas E. Lumish (*pro hac vice*)
doug.lumish@lw.com
Srinivas Pathmanaban (*pro hac vice*)
giri.pathmanaban@lw.com
Ryan T. Banks (*pro hac vice*)
Ryan.banks@lw.com
140 Scott Drive
Menlo Park, CA 94025
Telephone: 650.463.4600
LATHAM & WATKINS LLP

David K. Callahan (*pro hac vice*)
david.callahan@lw.com
330 North Wabash Ave., Ste. 2800
Chicago, IL 60611
Telephone: 312.876.7700
LATHAM & WATKINS LLP

Michael Morin (*pro hac vice*)
mike.morin@lw.com
Susan Yates Tull (*pro hac vice*)
susan.tull@lw.com
Benjamin J. Behrendt (*pro hac vice*)
benjamin.behrendt@lw.com
Tiffany C. Weston (*pro hac vice*)
tiffany.weston@lw.com
Richard A. Lowry (*pro hac vice*)
richard.lowry@lw.com
555 Eleventh St., NW, Ste. 1000
Washington, D.C. 20004
Telephone: 202.637.2200
LATHAM & WATKINS LLP

Counsel for NortonLifeLock Inc.